

**NITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
AT DETROIT**

In Re:

Ronald M Smith, Jr  
Kristen A. Smith

Case No. 20-51213

Chapter 13

Judge Maria L. Oxholm

Debtors

---

Ronald M Smith, Jr  
Kristen A. Smith

Adversary Case No. 21-04060

Plaintiffs

vs.

Wilmington Savings Fund Society, FSB  
Franklin Credit Management Corporation

Defendants

---

**ORDER GRANTING STIPULATION RESOLVING PLAINTIFFS' MOTION FOR  
SUMMARY JUDGMENT AND JUDGMENT ON THE PLEADINGS**

---

IT IS HEREBY ORDERED that the Motion is GRANTED;

IT IS FURTHER ORDERED that Defendant's lien is avoided as a preference that encumbers the property commonly described as 5300 E. Monroe St., Tecumseh, MI 49286, and described in detail as:

All that part of the East Yz of the NEW Y4 of Section 35, Town 5 South, Range 4 East, described at a point located 1,319 .6 feet North 89° 43' 30" West and 1,048.43 feet South 0° 42' West, from the North Quarter Post of Section 35, aforesaid for a place of beginning; running thence South 0° 42' West line of the said East Yz of the NW Y4 of Section 35, 854.26 feet to the Northerly right-of-way line of LaPlaisance Bay Turnpike, now known as Highway M-50; thence South 79° 41' East, along said highway line, 202.84 feet; thence North 0° 42' East 888.15 feet; thence

North 89° 18' West 200 feet to the place of beginning.

IT IS FURTHER ORDERED that upon discharge in this matter, under 11 USC § 1328, Defendant shall execute a lien release, discharge, or equivalent document extinguishing such claim in the above-described property;

IT IS FURTHER ORDERED that, pursuant to 11 USC §502(d), Creditor's claim in its present form is disallowed and that nothing in this order shall be construed to deny Creditor the right to refile its claim as unsecured;

IT IS FURTHER ORDERED that this Order resolves all matters in their entirety with prejudice.

**Signed on August 26, 2021**



/s/ Maria L. Oxholm

---

**Maria L. Oxholm**  
**United States Bankruptcy Judge**